INTRODUCTORY LOCAL LAW NO. 2 - 2011

LOCAL LAW NO. 1 - 2012

A LOCAL LAW INCREASING THE SALARIES OF SOME ELECTED COUNTY OFFICERS AND COUNTY OFFICERS APPOINTED FOR A FIXED TERM DURING THEIR TERM OF OFFICE

BE IT ENACTED by the Herkimer County Legislature of the County of Herkimer as follows:

Section 1. The base annual salary of the County Treasurer shall be the sum of Fifty Two Thousand Three Hundred Fifty Nine Dollars ($52,359).

Section 2. The base annual salary of the County Highway Superintendent shall be the sum of Eighty Seven Thousand Two Hundred and Nine Dollars ($87,209).

Section 3. The base annual salary of the County Clerk shall be the sum of Fifty Five Thousand Three Hundred Forty Dollars ($55,340).

Section 4. The base annual salary of the Director of Real Property Tax Services shall be the sum of Forty Seven Thousand Six Hundred Fifty Seven Dollars ($47,657).

Section 5. The base annual salary of the Personnel Officer shall be the sum of Fifty Nine Thousand Three Hundred Twenty Dollars ($59,320).

Section 6. The base annual salary of the Commissioner of Social Services shall be the sum of Seventy Six Thousand Five Hundred Dollars ($76,500).

Section 7. The base annual salary of the Commissioners of Elections shall be the sum of Forty Thousand Six Hundred and Six Dollars ($40,606).

Section 8. The salary of the county coroners shall be One Hundred Sixteen Dollars ($116.00) per call.

Section 9. This Local Law shall take effect forty-five days after its adoption and shall be subject to a permissive referendum.

Dated: December 14, 2011.
INTRODUCTORY LOCAL LAW NO. 2 – 2012

LOCAL LAW NO. 2 – 2012

A LOCAL LAW TO IMPOSE A MORTGAGE RECORDING TAX WITHIN THE COUNTY OF HERKIMER

Be it enacted by the County Legislature of the County of Herkimer as follows:

Section 1. Imposition of Tax
Pursuant to Section 253-u of the Tax Law, as extended by Chapter 234 of the Laws of 2012, there is hereby imposed in the County of Herkimer a tax of $0.25 for each $100 and each remaining major fraction thereof of principal debt or obligation, which is or under any contingency may be secured at the date of execution thereof or at any time thereafter, by a mortgage on real property situated within the County of Herkimer and recorded on and after December 1, 2012, and a tax of $0.25 on such mortgage if the principal debt or obligation which is or by any contingency may be secured by such mortgage is less than $100.00. This local law hereby continues without interruption the imposition of the Herkimer County Mortgage Recording Tax as authorized by Herkimer County Local Law No. 3 for 2005.

Section 2. Applicability
The taxes imposed under the authority of this local law shall be administered and collected in the same manner as the taxes imposed under Section 253.1 and Section 255.1(b) of the Tax Law.

Section 3. Additional Taxes
A tax imposed pursuant to this local law shall be in addition to the taxes imposed by Section 253 of the Tax Law.

Section 4. Payment of Taxes
The tax imposed pursuant to this local law shall be payable on the recording of each mortgage of real property subject to taxes thereunder. Such tax shall be paid to the recording officer of the county in which the real property or any part thereof is situated. Where such property is situated within and without the county imposing this tax, the recording officer of the jurisdiction in which the mortgage is first recorded shall be required to collect the taxes imposed herein. It shall be the duty of such recording officer to endorse upon each mortgage a receipt for the amount of the tax so paid. Any mortgage so endorsed may thereupon or thereafter be recorded by any recording officer and the receipt of such tax endorsed upon each mortgage shall be recorded therewith. The record of such receipt shall be conclusive proof that the amount of tax stated therein has been paid upon such mortgage.

Section 5. Real Property Located in More than One County
Where real property covered by the mortgage subject to the tax imposed pursuant to this local law is situated in the State of New York but within and without the County of Herkimer, the amount of such tax due and payable to the County of Herkimer shall be determined in a manner similar to that prescribed in the first paragraph of Section 260 of the Tax Law.

Where such property is situated both within Herkimer County and without the State, the amount due and payable in Herkimer County shall be determined in the manner prescribed in the second paragraph of such Section 260.

Section 6. Disposition of Taxes
Notwithstanding any provision of Article 11 of the Tax Law to the contrary, the balance of all monies paid to the recording officer of the County of Herkimer during each month upon account of the tax imposed pursuant to this local law, after deduction of the necessary expenses of his office as provided in Section 262 of the Tax Law, except taxes paid upon mortgages which under the provisions of this local law or Section 260 of the Tax Law are first to be apportioned
by the New York State Commissioner of Taxation and Finance, shall be paid over by such officer on or before the tenth day of each succeeding month to the Treasurer of the County of Herkimer and, after the deduction by such Treasurer of the necessary expenses of his or her office provided in Section 262 of the Tax Law, shall be deposited in the General Fund of the County of Herkimer for expenditure on any county purpose. Notwithstanding the provisions of the preceding sentence, the tax so imposed and paid upon mortgages covering real property situated in two or more counties, which under the provisions of this local law or Section 260 of the Tax Law are first to be apportioned by the Commissioner of Taxation and Finance, shall be paid over by the recording officer receiving the same as provided by the determination of the Commissioner.

Section 7. Expiration Date
The tax imposed by this local law shall be effective from December 1, 2012 to December 1, 2014.

Section 8. Effective Date
This local law shall become effective on the first day of December, 2012, provided that a certified copy thereof is mailed by registered or certified mail to the Commissioner of Taxation and Finance at the Commissioner’s Office in Albany at least thirty days prior to the date the local law shall take effect. Certified copies of any local law described in this section shall also be filed with the Herkimer County Clerk, the Secretary of State and the State Comptroller within five days after the local law is duly enacted.

INTRODUCTORY LOCAL LAW NO. 1 – 2012
LOCAL LAW NO. 3 – 2012

A LOCAL LAW DETERMINING LEGISLATIVE DISTRICTS IN AND FOR THE COUNTY OF HERKIMER

BE IT ENACTED by the County Legislature of the County of Herkimer as follows:

Section 1. There shall be seventeen (17) legislative districts in the County of Herkimer.

Section 2. The seventeen (17) legislative districts within the County of Herkimer shall be as follows:

DESCRIPTION OF LEGISLATIVE DISTRICTS

Note: All descriptions herein are based on the U.S. Census 2010 map geography.
HERKIMER COUNTY LEGISLATIVE DISTRICTS

All descriptions of the Herkimer County Legislative Districts follow the centerline of the mentioned feature unless otherwise stated.

Legislative District I

Beginning at the point of intersection of the Town of Herkimer, Town of German Flatts, and Town of Little Falls boundary; then southerly along the Town of German Flatts, Town of Little Falls boundary to the intersection of Quinns Road; then westerly and southwesterly along Quinns Road to the intersection of Old Shoemaker Hill Road; then southwesterly along Old Shoemaker Hill Road to the intersection of Shoemaker Hill Road; then northerly along Shoemaker Hill Road to the intersection of Shoemaker Hill Road and Griffin Road; then westerly and southerly along Shoemaker Hill Road to the intersection of Shoemaker Road; then northerly along Shoemaker Road to a point on the eastern Village of Mohawk boundary at the intersection of Shoemaker Road and Hillview Drive; then along the eastern Village of Mohawk boundary to the intersection of NYS Route 5S; then westerly along NYS Route 5S to the intersection of E. Main Street (Village of Mohawk); then southwesterly along E. Main Street (Village of Mohawk) to the intersection of Bellinger Street; then southerly along Bellinger Street to the intersection of Marshall Avenue; then southerly along Marshall Avenue to the intersection of Church Street; then southerly along Church Street to the intersection of Michigan Street; then westerly along Michigan Street to the intersection of Walnut Street; then southerly along Walnut Street to the intersection of Johnson Avenue; then westerly along Johnson Avenue to the intersection of Columbia Street; then northerly along Columbia Street to the intersection of Orange Street; then northerly along Orange Street to the intersection of W. Main Street (Village of Mohawk); then westerly along W. Main Street to the intersection of N. Richfield Street; then northerly along N. Richfield Street to the intersection of boundary of Election District 3, Election District 2 and Election District 9 of the Town of German Flatts to the intersection of the Town of German Flatts and the intersection of the Town of German Flatts to the intersection of the Town of German Flatts and the Town of Herkimer boundary; then easterly along Town of German Flatts, Town of Herkimer boundary 4635 feet to the intersection of a stream, (the boundary of Election District 5 and Election District 9 of the Town of Herkimer); then northerly along the stream to the intersection of Maple Grove Avenue; then easterly along Maple Grove Avenue to the intersection of W. German Street; then northerly along W. German Street.
Street to the intersection of Henry Street; then southeasterly along Henry Street to the intersection of Church Street; then southeasterly along Church Street to the intersection of Margaret Street; then southeasterly along Margaret Street and then easterly along the boundary of Election District 3 and Election District 8 of the Town of Herkimer to the intersection of W. State Street; then northeasterly along W. State Street and E. State Street to the intersection of Wares Ave; then southerly along Wares Ave to the intersection of Eastern Ave; then westerly along Eastern Ave to the intersection of King Street; then southeasterly along King Street to the intersection of Steele Street; then southeasterly along Steele Street to the intersection of S. Washington Street; then northeasterly along S. Washington Street to the intersection of the Town of Herkimer, Town of German Flatts boundary; then easterly along the Town of Herkimer, Town of German Flatts boundary to the point of beginning.

Legislative District 2

Beginning at a point at the intersection of the southerly boundary of the Town of Fairfield and the westerly bank of the West Canada Creek; then easterly along the Town of Herkimer, Town of Fairfield boundary to the northeast corner of the Town of Herkimer, Town of Little Falls boundary; then southerly along the Town of Herkimer, Town of Little Falls and Town of German Flatts boundary; then westerly along the Town of Herkimer, Town of German Flatts boundary to the intersection of S. Washington Street; then northerly along S. Washington Street to the intersection of Steele Street; then easterly along Steele Street to the intersection of King Street; then northerly along King Street to the intersection of Eastern Ave; then northerly along Eastern Ave to the intersection of Wares Ave; then northerly along Wares Ave to the intersection of E. State Street; then southeasterly along E. State Street and W. State Street to the intersection of the boundary of Election District 8 and Election District 3 of the Town of Herkimer; then westerly and northeasterly along the boundary of Election District 8 and Election District 3 of the Town of Herkimer and Margaret Street; then northeasterly along Church Street to the intersection of Church Street; then southeasterly along Church Street to the intersection of N. Main Street; then northeasterly along Main Street to the intersection of N. Washington Street; then northeasterly along N. Washington Street to the intersection of Suiers Street; then northeasterly along Suiers Street to the intersection of Steuben Street; then northeasterly along Steuben Street to the intersection of Insbruck Street; then northeasterly along Insbruck Street to the intersection of E. German Street; then northerly along E. German Street to the northerly boundary of Election District 2 of the Town of Herkimer; then northeasterly along the northerly boundary of Election District 2 of the Town of Herkimer to the intersection of Election District 3, Election District 6.
and Election District 2 of the Town of Herkimer; then southerly along the boundary between Election District 1 and Election District 6 in the Town of Herkimer to the point of beginning.

**Legislative District 3**
Beginning at a point at the intersection of the Town of Herkimer, Town of Newport and Town of Schuyler boundary; then southeasterly along the Town of Herkimer and Town of Newport boundary to a point at the Town of Herkimer, Town of Newport and Town of Fairfield boundary; then southerly along the Town of Herkimer and Town of Fairfield boundary to a point at the intersection of the Town of Fairfield and Town of Herkimer Election District 1 and Election District 6 boundary; then southerly along the boundary of the Town of Herkimer Election District 1 and Election District 6 to a point of intersection of the Town of Herkimer Election District 1, Election District 6 and Election District 2; then westerly along the boundary of the Town of Herkimer Election District 2 and Election District 6 to the intersection of E. German Street; then southerly along E. German Street to the intersection of Harter Street; then southeasterly along Harter Street to the intersection of Steuben Ave; then westerly along Steuben Ave to the intersection of Steuben Street; then southerly along Steuben Street to the intersection of Sutter Street; then westerly along Sutter Street to the intersection of N. Washington Street; then southeasterly along N. Washington Street to the intersection of Court Street; then southeasterly along Court Street to the intersection of N. Main Street; then southerly along N. Main Street to the intersection of Church Street; then southerly along Church Street to the intersection of W. German Street; then southeasterly along W. German Street to the intersection of Maple Grove Ave; then westerly along Maple Grove Ave to a stream; then southerly along said stream to the intersection of the Town of Herkimer, Town of German Flatts boundary; then westerly along the Town of Herkimer, Town of German Flatts boundary; to a point at the intersection of the Town of Herkimer, Town of German Flatts and Town of Frankfort boundary; then westerly and northerly along the Town of Herkimer, Town of Frankfort boundary to a point of the intersection of the Town of Herkimer, Town of Frankfort and Town of Schuyler boundary; then northerly along the Town of Herkimer, Town of Schuyler boundary to the point of beginning.

**Legislative District 4**
Beginning at the point of intersection of the Town of German Flatts, Town of Herkimer and Town of Frankfort boundary; then easterly along the Town of German Flatts, Town of Herkimer boundary to the intersection of the point of Election District 9 and Election District 2 of the Town of German Flatts and the Town of German Flatts, Town of Herkimer boundary; then southerly, easterly and then southerly again along the boundary of Election District 2 and Election District 9 of the Town of German Flatts to the intersection of the Village of Mohawk boundary; then easterly along the Village of Mohawk.
| Legislative District 13 | All of the towns of Litchfield, Winfield and that portion of the Town of Columbia described as Election District 2 as follows: Beginning at a point at the intersection of the centerline of Jordanville Road and the Town of Litchfield, Town of Columbia boundary; then easterly along Jordanville Road to the intersection of Mc Koons Road; then southerly then easterly along said Mc Koons Road to the intersection of Trey Hill Road; then southerly along Trey Hill Road to the Town of Columbia, Otsego County boundary; then northwesterly along the Town of Columbia, Otsego County, and Town of Winfield boundary to the southwestern corner of the Town of Columbia; then northwesterly along the Town of Columbia, Town of Winfield, Town of Litchfield boundary to the point of beginning. |
| Legislative District 14 | All of the towns of Little Falls, Durham and Stark |
| Legislative District 15 | All of the towns of Webb, Oneida and that portion of the Town of Russia described as Election District 2 as follows: Beginning at a point at the intersection of Military Road and the Herkimer County, Oneida County boundary; then southeasterly along Military Road to the intersection of Black Creek Road; then easterly and northwesterly along Black Creek Road to the intersection of Pardeeville Road; then southeasterly along Pardeeville Road to Sunset Lodge Road; then easterly along Sunset Lodge Road to the Town of Russia, Town of Ohio boundary; then northerly and then westerly along the Town of Russia, Town of Ohio boundary to the Town of Russia, Oneida County boundary; then southerly and westerly along said boundary to the point of beginning. |
| Legislative District 16 | All of the towns of Salisbury, Norway and Fairfield |
| Legislative District 17 | All of the town of Newport and those portions of the Town of Russia described as Election District 1 and Election District 3: Election District 1 as follows: Beginning at a point at the southeast corner of the Town of Russia, said point also being the southeast corner of the Village of Poland, then westerly along the southerly municipal boundary of the Town of Poland to the intersection of the easterly municipal boundary of the Village of Poland, thence northerly along the easterly municipal boundary of the Village of Poland to the northeast corner of the Village of Poland, thence westerly along the northerly municipal boundary of the Village of Poland to the northwest corner of the Village of Poland, thence generally northerly along the municipal boundary of the Town of Russia to the intersection of Military Road, thence southeasterly along Military Road to the intersection of Black Creek Road, thence generally easterly along Black Creek Road to the intersection of Pardeeville Road, thence southeasterly along Pardeeville Road to the intersection of Sunset Lodge Road, thence southeasterly along Sunset Lodge Road to the intersection of the municipal boundary of the Town of Russia, thence southerly along the municipal boundaries of the |
Town of Russia, the Town of Ohio, and the Town of Norway to the point of beginning.

Election District 3 as follows: Beginning at a point at the northwest corner of the Village of Poland, thence running easterly along the Village of Poland municipal boundary to the northeast corner of the Village of Poland, thence southerly along the eastern municipal boundary of the Village of Poland to the intersection of the municipal boundary between the Towns of Russia and Newport, thence westerly through the Village of Poland and along the municipal boundary of the Towns of Russia and Newport to the West Canada Creek, thence northwesterly along the West Canada Creek to the point of beginning.

Section 3. This local law shall take effect forty-five days after its adoption.

Dated: September 12, 2012.